

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

Patricia Wood Vogler
4458 Camp Betty Hastings Road
Walkertown, NC 27051-9102

Case No.	B-17-	C-13W
Chapter	13	

SS# **xxx-xx-6119**

Debtor.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on April 27, 2017.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$670.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs**1. Attorney fees.**

- ☐ The attorney for the Debtor will be paid the base fee of **\$4,500.00**. The Attorney has received **\$500.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☒ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
-NONE-	

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
US Bank Home Mortgage	Residence	R	Y	\$997.00	\$0.00	D

2. Personal Property Secured Claimsa. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
BB&T	2014 Kia Sorento	\$12,667.00	Y	\$0.00	\$138.00	\$211.00	6%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 50 %.

VII. Executory Contracts/Leases

- a. ☐ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract
Gray Court Apartments	Apartment lease

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms ***Debtor requests direct pay rather than wage deduction.***

Date: April 27, 2017

/s/ Jeffrey P. Farran

Jeffrey P. Farran

Attorney for the Debtor

Address: **1515 W. Cornwallis Drive, Suite 101
Greensboro, NC 27408-6334**

Telephone: **336-272-2157**

State Bar No. **05595**

UNITED STATES BANKRUPTCY COURT
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SS# xxx-xx-6119

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CERTIFICATE OF SERVICE

Case No. B-17- C-13W

The undersigned certifies that a copy of the **Notice to Creditors and Proposed Plan** was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Kathryn L. Bringle
Chapter 13 Trustee
P.O. Box 2115
Winston-Salem, NC 27102-2115

American Express
Attn: Correspondence
P.O. Box 981540
El Paso, TX 79998

American Express
c/o GC Services LP
940 Westport Plaza, Suite 425
St. Louis, MO 63146

American Express/Macy's
Attn: Correspondence
P.O. Box 981540
El Paso, TX 79998

BB&T
Bankruptcy Section 100-50-01-51
P.O. Box 1847
Wilson, NC 27894-1847

Belk/Synchrony Bank
Attn: Bankruptcy Dept.
P.O. Box 965060
Orlando, FL 32896-5060

Belk/Synchrony Bank
c/o Allied Interstate LLC
P.O. Box 361445
Columbus, OH 43236

Chase Card Services
Attn: Correspondence Dept
P.O. Box 15298
Wilmington, DE 19850-5298

Discover Financial
Attn: Bankruptcy Dept.
P.O. Box 3025
New Albany, OH 43054-3025

Employment Security Commission
Tax Dept
P.O. Box 26504
Raleigh, NC 27611-6504

FirstPoint Collection Resources
P.O. Box 26140
Greensboro, NC 27402-6140

Forsyth County Tax Dept.
Attn: Bankruptcy Dept.
P.O. Box 82
Winston-Salem, NC 27102-0082

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

JCPenney/Synchrony Bank
Attn: Bankruptcy Dept.
P.O. Box 965060
Orlando, FL 32896-5060

JCPenney/Synchrony Bank
c/o Advanced Call Center Technologies
P.O. Box 9091
Gray, TN 37615-9091

Macy's/DSNB
Bankruptcy Processing
P.O. Box 8053
Mason, OH 45040-8053

NC Dept of Revenue
Attn: Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27640-0001

Old Navy/Synchrony Bank
c/o Portfolio Recovery Associates, LLC
P.O. Box 41067
Norfolk, VA 23541

Old Navy/Synchrony Bank
c/o Advanced Call Center Technologies
P.O. Box 9091
Gray, TN 37615-9091

Stein Mart/Synchrony Bank
Attn: Bankruptcy Dept.
P.O. Box 965064
Orlando, FL 32896

Target Red Card Mastercard
c/o Financial & Retail Services
Mailstop BT, P.O.Box 9475
Minneapolis, MN 55440

TD Bank USA, N.A.
c/o AllianceOne Receivables Management
4850 Street Road, Suite 300
Trevose, PA 19053

US Bank Home Mortgage
Attn: Bankruptcy Dept.
P.O. Box 5229
Cincinnati, OH 45201

Date: April 27, 2017

/s/ Jeffrey P. Farran

Jeffrey P. Farran NCSB #05595
Attorney for Debtor
1515 W. Cornwallis Drive, Suite 101
Greensboro, NC 27408-6334
(336)272-2157